

Exhibit L



1805 Berks Road – Worcester, PA 19490

March 13, 2012

Parsons Brinckerhoff
100 South Charles Street
Baltimore, MD 21201
Attention: Robby McDonald

AI Letter: COM0043
AI Job 1020034

RE: Governor Printz Interceptors – Section 1
Contract No. 2010-01, Project 220612
Backfill for Pipe Trench
Payment for Contingent BF Item

Dear Robby,

This letter is in regards to payment for Backfill material to replace Unsuitable excavated material encountered on the Project. This issue has been discussed previously and AAM has advised your office that we would forward our payment request to you. Enclosed is our Payment Request on this outstanding project issue.

A brief summary on this subject is hereby provided for your reference and review. **

- At the September 21, 2011 progress meeting we discussed the unsuitable material encountered during trenching operations. AAM also advised PB and the County of our concerns related to using common Type F backfill under roadway sections and the strong possibility of future problems related to proof rolling this material. In AAM's past experience it is highly irregular to use Type F backfill in trenches under roadway sections. AAM warned of the possibility of failed proof rolling using borderline material in this application.
- On September 23th AAM advised PB we would track the unsuitable material encountered and submit for payment. AAM provided (6) test reports. (4) of the test failed Type F, and (2) indicated very marginal material at the lowest end of the spectrum for Type F. AAM advised PB that Supplement Spec 31.06-4 specifically addresses unsuitable excavated material and allows payment under the Contract Contingent Bid Item for Backfill. It states, "Suitable backfill and/or stone bedding to replace unsuitable material encountered in the excavation shall be paid for at the contract unit price bid or fixed price utility contingent item for borrow backfill and stone bedding."
- On October 11, 2011 PB advised that if a discrepancy exists between the Supplemental Specifications and the Special Provisions the Special Provisions shall govern therefore the Supplemental Specs are not applicable.
- On October 24, 2011 AAM advise PB that there is not a discrepancy between the Supplemental Specifications and the Special provisions. Rather, it is our position that the Project Special Provisions provide the requirements for the excavation, trench backfill, and overall scope included with this work activity and the Supplemental Specifications provide direction on how proceed and Basis of Payment when unsuitable material is encountered within the trench excavation. AAM requested the County reconsider their position.

- On November 2, 2011 PB advised that Supplemental Specification 31.06-4 is only for excavation below planned elevation to lower the invert of pipe and AAM has taken the statement in the Supplemental Specifications "out of context"

**Refer to the following letters for the complete discussion on this issue.

-AAM to PB September 23rd and October 24th, 2011

-PB to AAM October 11th and November 2nd, 2011

Attached for your review and processing is our quantity of imported Backfill to replace unsuitable material on the Project for installations on the NB side roadway. The limits of this payment request are from Station 201+60 (start of the single 78" NB) through Station 210+41 (approximate location MH 203). Our quantity *excludes* any pipe undercut quantities and the volume for the actual pipes and stone envelope in this area as well as any costs incurred by AAM due to delays and inefficiencies in our labor production.

Backfill Cubic Yards	\$\$ / Cubic Yd	Total Pay Request
5063	\$ 41.00	\$ 207,583.00

Enclosed are the calculations used to determine this cubic yard quantity. In addition, we have provided an accounting of the unsuitable material disposed of off-site during the installation period for the work limits of this pay request. This quantity equates to approximately the entire volume of material excavated within the scope of this payment request.

AAM request the County approve payment for 5063 CY of Borrow Backfill per the Contract Unit price of \$41.00 per Cubic Yard.

If you have any questions or need additional information please contact me at 443-506-3451.

Sincerely,



Carmen D. Cipriano
Senior Project Manager

cc: Richard W. Dungan VP/GM AI Maryland

Attachments: Backfill Calculation Sheet, 1 page
Unsuitable Excavation Log, 1 page.

Governor Printz Project

Backfill Quantities
From STA 201+60 to 210+41
78" Single Barrel
201+60 to 203+40
Length = 180 FT
Width = 10.04 FT
Average Depth of Backfill to 12" above 78" Pipe = 6.9 FT
Payable Backfill = 462 Cubic Yards
78" x 36" Double Barrel
203+40 to 210+41
Length = 701 FT
Width = 17.9 FT
Average Depth of Backfill to 12" above 78" & 36" Pipe = 9.9 FT
Payable Backfill = 4601 Cubic Yards
TOTAL PAYABLE BACKFILL = 5063 Cubic Yards
* The depth of backfill does not include the 18" required for pavement

Attachment - Ltr to PB, 3-13-2012

Governor Printz ProjectUnsuitable Mat'l Disposal, NB side

Tracking No.	Date	Tri-Axle Loads	
20105151	7/19/2011	8	Disposal
20105157	7/20/2011	11	Disposal
20105157	7/22/2011	12	Disposal
20105157	7/26/2011	12	Disposal
20105157	7/27/2011	11	Disposal
20105157	7/29/2011	11	Disposal
20105157	7/30/2011	11	Disposal
20105157	8/1/2011	13	Disposal
20105157	8/3/2011	13	Disposal
20105161	8/8/2011	12	Disposal
20105167	8/22/2011	35	Disposal
20105167	8/24/2011	24	Disposal
20105167	8/30/2011	21	Disposal
20105167	8/31/2011	21	Disposal
20105174	9/1/2011	18	Disposal
20105174	9/2/2011	22	Disposal
20105174	9/10/2011	20	Disposal
20105174	9/12/2011	29	Disposal
20105174	9/13/2011	31	Disposal
20105174	9/14/2011	34	Disposal
20105181	9/15/2011	19	Disposal
20105181	9/16/2011	14	Disposal
20105181	9/19/2011	31	Disposal
20105181	9/20/2011	30	Disposal
20105181	9/21/2011	8	Disposal
20105181	9/22/2011	24	Disposal
20105181	9/26/2011	8	Disposal
20105181	9/27/2011	10	Disposal
20105189	9/29/2011	2	Disposal
20105189	10/4/2011	43	Disposal
20105189	10/5/2011	12	Disposal
20105189	10/6/2011	9	Disposal
20105189	10/7/2011	8	Disposal
20105189	10/10/2011	10	Disposal
20105189	10/11/2011	8	Disposal
20105203	10/14/2011	4	Disposal
20105203	10/17/2011	19	Disposal
20105203	10/18/2011	28	Disposal
20105203	10/21/2011	3	Disposal
20105203	10/22/2011	5	Disposal
20105203	10/24/2011	9	Disposal
20105203	10/25/2011	13	Disposal
20105212	10/26/2011	13	Disposal
20105212	10/28/2011	17	Disposal
20105212	11/7/2011	12	Disposal
20105212	11/8/2011	22	Disposal
20105225	11/9/2011	22	Disposal
Total		772	Loads

772 Loads x 12 CY/Load = 9264 Cubic Yards.
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